



In re Application of:

Jagiella et al.

Application No.: 10/047,447

**Filed: January 14, 2002**

For: **SENSOR DEVICE FOR BURR EXAMINATION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on April 23, 2002.

By: Carol Prentice

## SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 37 C.F.R. 1.53

Enclosed are the following items for filing in the above-referenced U.S. patent application:

- ☒ A check in the amount of \$1,562 to cover the total filing fee (\$1,392 - including the surcharge set forth in 37 C.F.R. 1.17(i)); the surcharge set forth in 37 C.F.R. 1.16(e) (\$130); and the Assignment recordal fee (\$40);
- ☒ **Prior to the calculation of the filing fee, please enter the Preliminary Amendment filed herewith.**

Basic Fee -								\$ 740.00
Multiple Dependent Claims (270.00)								
Foreign Language Surcharge (\$130.00)								\$ 130.00
	For	No. Filed	-	No. Extra	-	Rate		
EXTRA CLAIMS	Total Claims	49	20	29	x	\$ 18.	= \$ 522.00	
	Independent Claims	2	3	0	x	\$ 84.	= \$ 0	
TOTAL FILING FEE							= \$ 1,392.00	

Application No. 10/047,447

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- ☒ Return receipt postage prepaid postcard;
- ☒ Formalities Letter (Part 2) mailed February 25, 2002;
- ☒ Preliminary Amendment;
- ☒ Verified English translation of the specification and claims ( 39 pages) - Applicant hereby requests that the verified English translation of the specification, as amended by the Preliminary Amendment submitted herewith, be used as the copy for examination purposes in the Patent Office.
- ☒ Declaration and Power of Attorney, signed by the Applicants on April 11, 2002;
- ☒ Assignment executed on April 11, 2002, together with separate transmittal form PTO-1595
  - ☒ Please include assignee information when this application is published

**Assignee: BALLUFF GmbH**  
**Schurwaldstrasse 9**  
**73765 Neuhausen, Germany**
- ☒ Certified copy of priority document, German patent application no. 101 03 177.7, together with transmittal letter;
- ☒ Information Disclosure Statement, together with Form PTO-1449 and copies of the cited documents;
- ☒ Request for Corrected Filing Receipt, with attachments.

Having now complied with all of the requirements of 37 C.F.R. Section 1.53, Applicants respectfully request that this application be placed upon the files for examination.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Respectfully submitted,



Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Bldg. 8  
Monroe, CT 06468  
(203) 459-0200

Date: April 23, 2002

ATTORNEY DOCKET NO.: HOE-669



10047447.042602

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Manfred Jagiella, Dr. Sorin Fericean )  
Serial No.: 10/047,447 )  
Filed: January 14, 2002 )  
For: Gratprüfungs-Sensorvorrichtung )

Assistant Commissioner for Patents  
Washington, D.C. 20231

**VERIFICATION OF TRANSLATION**

I, the below named translator, hereby declare that:

My name and post office address are as stated below.

That I am knowledgeable in the English language and in the German language (the language in which the above-identified application was filed), and that the attached English translation is a true, accurate and complete literal translation made by me of the above-identified application as filed.

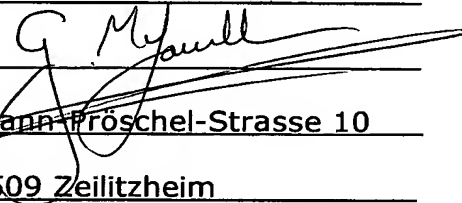
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: March 26, 2002

Full Name of the Translator:

Gillian M. McLauchlan

Signature of the Translator:



Post Office Address:

Johann Fröschel-Strasse 10

97509 Zeilitzheim

Germany



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/047,447	01/14/2002	Manfred Jagiella	HOE-669

20028  
LAW OFFICE OF BARRY R LIPSITZ  
755 MAIN STREET  
MONROE, CT 06468

CONFIRMATION NO. 1068

FORMALITIES LETTER



\*OC000000007529145\*

Date Mailed: 02/25/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 1000.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/29/2002 NHDHMM1 00000025 10047447  
01 FC:101 740.00  
02 FC:103 522.00  
03 FC:105 130.00  
04 FC:139 130.00



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/047,447	01/14/2002		0.00	HOE-669	6	1	1

CONFIRMATION NO. 1068

20028  
LAW OFFICE OF BARRY R LIPSITZ  
755 MAIN STREET  
MONROE, CT 06468

## FILING RECEIPT



\*OC000000007529144\*

Date Mailed: 02/25/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Manfred Jagiella, Notzingen, GERMANY;  
Sorin Fericean, Leonberg, GERMANY;

## Domestic Priority data as claimed by applicant

## Foreign Applications

GERMANY 101 03 177.7 01/22/2001

If Required, Foreign Filing License Granted 02/25/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title SENSOR DEVICE FOR BURR EXAMINATION

~~Unknown~~

Preliminary Class

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LICENSE FOR FOREIGN FILING UNDER

**Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



PATENT

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jagiella et al.

Application No.: 10/047,447

Filed: January 14, 2002

For: **SENSOR DEVICE FOR BURR EXAMINATION**

5 / CFR  
E. Villio  
12-6-02

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on April 23, 2002.

By: Carol Prentice  
Carol Prentice

**REQUEST FOR CORRECTED FILING RECEIPT**

Dear Sir:

Applicants received an official Filing Receipt for the patent application referenced above.

Applicants would like the following correction(s) to be made on the Filing Receipt:

(1) Correct the title "Unknown" to read:

**-- SENSOR DEVICE FOR BURR EXAMINATION --**

The following documents are enclosed herewith:

- Copy of the Declaration and Power of Attorney form, mailed to the U.S. Patent and Trademark Office on April 23, 2002, with the title highlighted.


Application No.: 10/047,447  
Page 2

- Copy of the first page of the verified English translation of the specification, with the title highlighted.
- Copy of the Filing Receipt, with the requested correction(s) noted thereon.

Applicants respectfully request that the official records for the above application be changed to reflect the above correction(s), and that a corrected Filing Receipt be issued.

Respectfully submitted,

Date: April 23, 2002  
ATTORNEY DOCKET NO.: HOE-669

  
\_\_\_\_\_  
Barry R. Lipsitz  
Attorney for Applicant(s)  
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755 Main Street, Bldg. 8  
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